

Amendment No. 15

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing PCB: Transportation & Highway
2 Safety Subcommittee
3 Representative Watson, B. offered the following:
4

Amendment (with title amendment)

6 Between lines 306 and 307, insert:

7 Section 3. Subsection (2) of section 316.2015, Florida
8 Statutes, is amended to read:

9 316.2015 Unlawful for person to ride on exterior of
10 vehicle.—

11 (2)(a) No person shall ride on any vehicle upon any
12 portion thereof not designed or intended for the use of
13 passengers. This paragraph does not apply to an employee of a
14 fire department, an employee of a governmentally operated solid
15 waste disposal department or a waste disposal service operating
16 pursuant to a contract with a governmental entity, or to a
17 volunteer firefighter when the employee or firefighter is
18 engaged in the necessary discharge of a duty, and does not apply
19 to a person who is being transported in response to an emergency
20 by a public agency or pursuant to the direction or authority of

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21 a public agency. This paragraph does not apply to an employee
22 engaged in the necessary discharge of a duty or to a person or
23 persons riding within truck bodies in space intended for
24 merchandise.

25 (b) It is unlawful for any operator of a pickup truck or
26 flatbed truck to permit a minor child who has not attained 18
27 years of age to ride upon limited access facilities of the state
28 within the open body of a pickup truck or flatbed truck unless
29 the minor is restrained within the open body in the back of a
30 truck that has been modified to include secure seating and
31 safety restraints to prevent the passenger from being thrown,
32 falling, or jumping from the truck. This paragraph does not
33 apply in a medical emergency if the child is accompanied within
34 the truck by an adult. A county is exempt from this paragraph if
35 the governing body of the county, by majority vote, following a
36 noticed public hearing, votes to exempt the county from this
37 paragraph.

38 (c) It is unlawful for any operator of a pickup truck or
39 flatbed truck to permit a minor child who has not attained 6
40 years of age to ride upon any street or highway with a posted
41 speed limit of greater than 35 miles per hour which is
42 maintained by the state, county, or municipality within the open
43 body of a pickup truck or flatbed truck unless the minor is
44 restrained within the open body in the back of a truck that has
45 been modified to include secure seating and safety restraints to
46 prevent the minor from being thrown, falling, or jumping from
47 the truck. This paragraph does not apply in a medical emergency
48 if the child is accompanied within the truck by an adult, or if

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49 the truck is being driven on an unpaved road. A county is exempt
50 from this paragraph if the governing body of the county, by
51 majority vote, following a noticed public hearing, votes to
52 exempt the county from this paragraph. An operator of a pickup
53 truck or flatbed truck is exempt from this paragraph if the
54 pickup truck is the only vehicle owned by the operator or his or
55 her family.

56 (d)~~(e)~~ Any person who violates this subsection shall be
57 cited for a nonmoving violation, punishable as provided in
58 chapter 318.

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T I T L E A M E N D M E N T

Remove line 9 and insert:

devices; amending s. 316.2015, F.S.; prohibiting minor children
under 6 years of age from riding within the open body of a
pickup or flatbed truck unless certain restraints are provided;
providing exceptions and certain criteria for exemptions;
amending s. 316.302, F.S.; revising